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BLAKELY SOKOLOFF TAYLOR & ZAFMAN
12400 WILSHIRE BOULEVARD, SEVENTH FLOOR
LOS ANGELES CA 90025

FEB 12 2004

**DIRECTOR OFFICE
TECHNOLOGY CENTER 2100**

In re Application of MUKESH K. PATEL, ET AL.)
Application No.: 09/938,886)
Filed: August 24, 2001)
For: **JAVA VIRTUAL MACHINE**)
HARDWARE FOR RISC AND CISC)
PROCESSORS)
)

This is a decision on the petition, filed December 11, 2003 under 37 C.F.R. §1.102(d) and M.P.E.P. §708.02(II): Infringement, to make the above-identified application special.

M.P.E.P. §708.02(II) states that a Petition to Make Special based on Infringement must have the following: (1) the appropriate petition fee under 37 CFR 1.17(h), and (2) a statement by the applicant, assignee, or an attorney/agent registered to practice before the Office alleging: (A) That there is an infringing device or product actually on the market or method in use; (B) That a rigid comparison of the alleged infringing device, product, or method with the claims of the application has been made, and that, in his or her opinion, some of the claims are unquestionably infringed; and (C) That he or she has made or caused to be made a careful and thorough search of the prior art or has a good knowledge of the pertinent prior art, and has sent one copy of each of the references deemed most closely related to the subject matter encompassed by the claims if said references are not already of record.

The petition filed December 11, 2003 meets all of the requirements above; accordingly, the Petition is **GRANTED**.

The application file is being forwarded to the Examiner of Record for promptly examining this application out of turn according to the procedures set forth in M.P.E.P. §708.02.

Bot LeDynh, J.D., Ph.D.
Special Programs Examiner
Technology Center 2100
Computer Architecture, Software, and Information Security
(703) 305-0651